



**CERTIFICATE OF MAILING**

I hereby certify that this **SUPPLEMENTAL REISSUE APPLICATION DECLARATION AND POWER OF ATTORNEY** for Serial No. 10/074,615 is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 19<sup>th</sup> day of February, 2004.

By

Barbara Brazier  
Barbara Brazier

***PATENT***

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF	:	Wright, et al.
FOR	:	<b>UPRIGHT VACUUM CLEANER WITH CYCLONIC AIRFLOW</b>
SERIAL NO.	:	10/074,615
FILED	:	February 12, 2002
EXAMINER	:	Terrence R. Till
ART UNIT	:	1744
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Cleveland, Ohio 44114-2518

**SUPPLEMENTAL REISSUE APPLICATION  
DECLARATION AND POWER OF ATTORNEY**

Mail Stop  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

As a below named inventor, I hereby declare that:

I believe that I am a first, original, and joint inventor of the subject matter which is described and claimed in Letters Patent No. 6,026,540 granted on February 22, 2000 and in the foregoing specification and for which invention I solicit a reissue patent.

The entire title to Patent No. 6,026,540 has vested in Royal Appliance Mfg. Co., and Ohio corporation, by an assignment recorded on November 9, 1998 on Reel 9447 beginning at Frame 0028.

I hereby state that I have reviewed and understand the contents of the above-identified reissue application, including the amended and additional claims therein.

I acknowledge the duty to disclose to the Office all information known to the person to be material to patentability as defined in 37 C.F.R. 1.56.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the Attorneys associated with Customer No. 027885, to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

#### STATEMENT OF INOPERATIVENESS OR INVALIDITY

I believe our original Patent No. 6,026,540 dated February 22, 2000 to be partly inoperative or invalid because of error without any deceptive intent on the part of the applicants or the assignee.

The patent is partly inoperative or invalid by reason of the patentees' claiming less than they had a right to claim. This error came to the attention of the patentees upon a review of competing products which only recently became available in the marketplace. Broader claim coverage is available to the patentees than was claimed in the original application; thus, this error resulted in a defective application.

New claims 23-65 have been added, of which claims 23, 32, 42 and 52 are independent.

Claim 23 was added to recite a main filter and housing located within a cyclonic airflow chamber. Claim 23 does not require a filter support to extend upwardly from a floor of the housing or that the filter is located within a dirt cup. Claims 24-31 recite limitations regarding the filter housing and the filter element.

Claim 32 was added to recite an upright body section having a cyclonic airflow chamber and a filter housing and filter located in the cyclonic chamber, without the limitation of the filter being located within a dirt cup or the filter extending upwardly from a floor of the housing.

Claims 33-41 recite a filter housing and have limitations regarding positioning of an outlet in the cyclonic airflow chamber, and regarding the retention of the filter element in at least a portion of the filter housing.

Claim 42 was added to recite a cyclonic airflow chamber and a main filter housing having a filter element located therein positioned within the cyclonic airflow chamber. The claim does not require a dirt cup or that the filter be positioned within a dirt cup or extend upwardly from a floor of the housing.

Dependent claims 43-51 recite limitations concerning the filter, a dirt cup and airflow inlets and outlets in the cyclonic airflow chamber.

Claim 52 was added to recite a cyclonic airflow chamber having a filter housing with a filter element therein which defines a tortuous air path. Again, the claim does not require a dirt cup or that the filter be within a dirt cup or extend upwardly from a floor of the housing.

Claims 53-65 further recite a dirt cup, an airflow outlet for the cyclonic chamber, and the position of the main filter housing and cyclonic chamber within the dirt cup.

Thus, independent claims 23, 32, 42 and 52 were added to obtain broader coverage for a vacuum cleaner comprising a filter housing with a filter element at least selectively positioned therein. The dependent claims recite additional limitations regarding the filter, the filter housing, the cyclonic chamber and the dirt cup.

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